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PD020099

REMARKS

Reconsideration of this application is respectfully requested. Claims 1, 6 and 7 have been amended. As such, claims 1-7 are in this application and are presented for the Examiner's consideration in view of the following comments.

Claims 1, 6 and 7 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2004/0240856 published December 2, 2004 for Yahata et al. (*Yahata*) in view of U.S. Patent No. 6,778,759 issued August 17, 2004 to Yamada et al. (*Yamada*). Applicants respectfully still disagree. However, in the interests of furthering prosecution, Applicants have amended independent claims 1, 6 and 7 to make clear Applicants' invention. In addition to Applicants' arguments presented in Applicants' previous response, Applicants offer the following remarks.

Applicants respectfully allude to the fact that the information which can be set at liberty by an operator as described by *Yamada* in col. 13 is limited to timing information and encoding information. *Yamada* does not mention, neither in col. 13, nor anywhere else, a data stream which is originating from an external source. Furthermore, the timing information and encoding information as known from *Yamada* does not include any external source information. By contrast, although *Yamada* describes in col. 6, ln. 66 to col. 7, ln. 9, that a title set is constructed of a plurality of titles sharing AV data with each other, *Yamada* is unsuitable for suggesting a

"binding of at least one data stream which is originating from an external source to a basic AV MPEG2 transport stream"

as required by Applicants' claim 1 because *Yamada* describes in col. 7, lns. 36-41, that AV data of all scenes constructing the title set is included in video file data of a single video file.

Furthermore, although *Yamada* describes in col. 6, ln. 66 to col. 7, ln. 9, that a title set is constructed of a plurality of titles sharing AV data with each other, this does not describe

defining multiple sub stream paths of consecutive descriptors existing in parallel to said basic stream path, said sub stream paths

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of descriptors pointing to parts of data streams being located out of said basic AV MPEG-2 transport stream, wherein each of said sub stream paths is one of:

- a video stream path type,
- an audio stream path type,
- a subtitle stream path type, and
- a graphics stream path type;

as required by Applicants' amended claim 1. That is, a single data stream may be referenced by several titles. But, that quite different from the claimed invention which teaches a single navigation file referencing several data streams.

Furthermore, the title names, chapter names and program names described by *Yamada* in col. 13 are not suited for

"indicating the stream path type of each of the sub stream paths"

as more clearly specified in Applicants' amended claim 1.

It is therefore clear that even if the structure of *Yamada* were to be incorporated into the structure of *Yahata*, the combination of *Yamada* and *Yahata* does not yield Applicants' claimed invention.

Similar comments apply to Applicants' independent claims 6 and 7.

In view of the above, Applicants respectfully submit that independent claims 1, 6, and 7 are patentable over *Yahata* in view of *Yamada*.

Claims 2-5 have been rejected under 35 U.S.C. §103(a) as being unpatentable over *Yahata* in view of *Yamada* and further in view of U.S. Patent Publication No. 2002/0006268 published January 17, 2002 for Chotoku et al. Applicants respectfully traverse this rejection for the reasons described above with respect to independent claim 1

As it is believed that all of the objections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone Applicants' attorney in order to overcome any additional objections that the Examiner might have.

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If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 07-0832 therefor.

Respectfully submitted
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